



Senate

General Assembly

February Session, 2012

File No. 523

Senate Bill No. 285

Senate, April 18, 2012

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE MACBRIDE PRINCIPLES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 3-13h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2012*):

3 (a) The State Treasurer shall review the major investment [policies]
4 holdings of the state for the purpose of determining the extent to
5 which [moneys] state funds are invested in [corporations] companies
6 doing business in Northern Ireland which have not adopted the
7 MacBride principles. [In whatever manner may be deemed
8 appropriate by] Whenever feasible and consistent with the fiduciary
9 duties of the State Treasurer, [corporations] companies in which the
10 state has invested assets and which have operations in Northern
11 Ireland shall be urged to adopt and implement the MacBride principles
12 with respect to such operations and where necessary and appropriate
13 to initiate or support shareholder initiatives requiring such corporate
14 action.

15 (b) [In carrying out his fiduciary responsibility, the] The State
16 Treasurer [shall, within a period of time not exceeding three years
17 immediately following May 18, 1987, disinvest all state funds currently
18 invested in any corporations doing business in Northern Ireland and
19 invest no new state funds in any such corporation] may divest, decide
20 not to further invest state funds or not enter into any future investment
21 in any company unless such [corporation] company has implemented
22 the MacBride principles, [In accordance with sound investment
23 criteria consistent with prudent standards of fiduciary responsibility,
24 the State Treasurer shall, with respect to state funds available for
25 future investment in corporations doing business in Northern Ireland,
26 including such funds available as a result of such disinvestment as
27 prescribed in this subsection, invest such funds in corporations
28 conducting their operations in Northern Ireland in accordance with the
29 MacBride principles,] which are as follows: (1) Increasing the
30 representation of individuals from underrepresented religious groups
31 in the workforce, including managerial, supervisory, administrative,
32 clerical and technical jobs; (2) providing adequate security for the
33 protection of minority employees at the workplace and while traveling
34 to and from work; (3) banning provocative religious or political
35 emblems from the workplace; (4) publicly advertising all job openings
36 and making special recruitment efforts to attract applicants from
37 underrepresented religious groups; (5) layoff, recall and termination
38 procedures which do not in practice favor particular religious
39 groupings; (6) abolishing job reservations, apprenticeship restrictions
40 and differential employment criteria, which discriminate on the basis
41 of religion or ethnic origin; (7) developing training programs that will
42 prepare substantial numbers of current minority employees for skilled
43 jobs, including the expansion of existing programs and the creation of
44 new programs to train, upgrade and improve the skills of minority
45 employees; (8) establishing procedures to assess, identify and actively
46 recruit minority employees with potential for further advancement;
47 and (9) appointing a senior management staff member to oversee the
48 company's affirmative action efforts and the setting up of timetables to
49 carry out affirmative action principles.

50 (c) The State Treasurer shall, at least once per fiscal year, provide a
51 report to the Investment Advisory Council on actions taken by the
52 Treasurer pursuant to the provisions of this section.

53 (d) The provisions of this section shall no longer be effective on and
54 after January 1, 2020.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2012	3-13h

APP *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill is not expected to result in a fiscal impact to the state because it is anticipated that if the Treasurer chooses to divest the Connecticut Retirement Plans and Trust Funds of investments in companies that have not implemented the MacBride Principles, the funds will be reinvested in other companies that will produce similar rates of return.

The Out Years

State Impact: None

Municipal Impact: None

OFA Bill Analysis**SB 285*****AN ACT CONCERNING THE MACBRIDE PRINCIPLES.*****SUMMARY:**

Under current law, the State Treasurer is required to divest the Connecticut Retirement Plans and Trust Funds of investments in companies that have not implemented the MacBride Principles. This bill changes statutory language to give the Treasurer greater discretion in divestiture decisions and sunsets the requirement for such divestitures after January 1, 2020.

EFFECTIVE DATE: July 1, 2012

BACKGROUND

The MacBride Principles are a corporate code of conduct for U.S. companies doing business in Northern Ireland. The Principles were initiated, proposed and launched by the Irish National Caucus in November 1984, and designed to address religious discrimination in the workplace. They consist of nine fair employment and affirmative action principles. The Principles deal with such issues as security for minority employees both at work and while traveling to work, the banning of provocative religious or political emblems in the workplace, and increasing the representation of Catholics in the workplace.

COMMITTEE ACTION

Finance, Revenue and Bonding Committee

Joint Favorable

Yea 47 Nay 8 (4/3/2012)